

OFFICIAL TITLE

AN INITIATIVE MEASURE

AMENDING TITLE 15, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 10.1; AMENDING SECTION 15-1655, ARIZONA REVISED STATUTES; AMENDING TITLE 43, CHAPTER 10, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 43-1013; RELATING TO EDUCATION FUNDING.

Be it enacted by the People of the State of Arizona:

Section 1. Short title

This act may be cited as the "Invest in Education Act".

Section 2. Findings and declaration of purpose

The People of the State of Arizona find and declare as follows:

1. All Arizona students deserve a certified, qualified teacher in their classrooms and to learn in the safest possible environment.
2. Years of underfunding by the Arizona Legislature have led to crisis-level teacher shortages and woefully inadequate support services.
3. Additional permanent funding is needed to develop, recruit and retain qualified teachers, hire counselors, close the achievement gap, improve career and vocational education for Arizona students, prepare Arizona students for good jobs and careers and meet Arizona employers' need for a skilled workforce.

Section 3. Title 15, Arizona Revised Statutes, is amended by adding chapter 10.1, to read:

CHAPTER 10.1
ADDITIONAL SUPPORT FOR PUBLIC EDUCATION

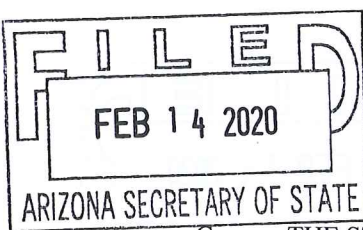
ARTICLE I. GENERAL PROVISIONS

15-1281. Student support and safety fund; exemption; distribution; definitions

A. THE STUDENT SUPPORT AND SAFETY FUND IS ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTION 43-1013, PRIVATE DONATIONS AND INTEREST EARNED ON THOSE MONIES. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED. MONIES IN THE FUND AND ITS ACCOUNTS MAY NOT BE TRANSFERRED TO ANY OTHER FUND EXCEPT AS PROVIDED IN THIS SECTION, DO NOT REVERT TO THE STATE GENERAL FUND, AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE STATE TREASURER SHALL ADMINISTER THE FUND.

B. ALL MONIES IN THE STUDENT SUPPORT AND SAFETY FUND MUST FIRST BE SPENT, AND THE STATE TREASURER SHALL TRANSFER MONIES FROM THE FUND, TO PAY:

1. THE ACTUAL REASONABLE COSTS INCURRED BY THE STATE TREASURER TO ADMINISTER THE FUND.
2. THE ACTUAL REASONABLE COSTS INCURRED BY THE AUDITOR GENERAL AND DEPARTMENT OF EDUCATION TO IMPLEMENT SECTION 15-1284.
3. THE ACTUAL REASONABLE COSTS INCURRED BY THE DEPARTMENT OF REVENUE TO IMPLEMENT AND ENFORCE SECTION 43-1013.
4. THE ACTUAL REASONABLE COSTS INCURRED BY THE STATE BOARD OF EDUCATION TO IMPLEMENT SUBSECTION D, PARAGRAPH 3 OF THIS SECTION.
5. ANY OTHER MANDATORY EXPENDITURE OF STATE REVENUES REQUIRED TO IMPLEMENT THIS CHAPTER AND THE INVEST IN EDUCATION ACT.



C. THE STATE TREASURER MAY PRESCRIBE FORMS NECESSARY TO MAKE TRANSFERS FROM THE STUDENT SUPPORT AND SAFETY FUND PURSUANT TO SUBSECTION B OF THIS SECTION.

D. ON OR BEFORE JUNE 30 AND DECEMBER 31 OF EACH YEAR, THE STATE TREASURER SHALL TRANSFER ALL MONIES IN THE STUDENT SUPPORT AND SAFETY FUND IN EXCESS OF THE AMOUNTS PAID PURSUANT TO SUBSECTION B OF THIS SECTION AS FOLLOWS:

1. FIFTY PERCENT AS GRANTS TO SCHOOL DISTRICTS AND CHARTER SCHOOLS, IN PROPORTION TO THE WEIGHTED STUDENT COUNT PURSUANT TO SECTION 15-943, PARAGRAPH 2, FOR THE SCHOOL DISTRICT OR CHARTER SCHOOL FOR THE PRIOR FISCAL YEAR, FOR THE PURPOSE OF HIRING TEACHERS AND CLASSROOM SUPPORT PERSONNEL AND INCREASING BASE COMPENSATION FOR TEACHERS AND CLASSROOM SUPPORT PERSONNEL. FOR THE PURPOSES OF THIS PARAGRAPH, THE STATE EDUCATION SYSTEM FOR COMMITTED YOUTH AND THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND SHALL RECEIVE GRANT FUNDS IN THE SAME MANNER AS SCHOOL DISTRICTS AND CHARTER SCHOOLS.

2. TWENTY-FIVE PERCENT AS GRANTS TO SCHOOL DISTRICTS AND CHARTER SCHOOLS, IN PROPORTION TO THE WEIGHTED STUDENT COUNT PURSUANT TO SECTION 15-943, PARAGRAPH 2, FOR THE SCHOOL DISTRICT OR CHARTER SCHOOL FOR THE PRIOR FISCAL YEAR, FOR THE PURPOSE OF HIRING STUDENT SUPPORT SERVICES PERSONNEL AND INCREASING BASE COMPENSATION FOR STUDENT SUPPORT SERVICES PERSONNEL. FOR THE PURPOSES OF THIS PARAGRAPH, THE STATE EDUCATION SYSTEM FOR COMMITTED YOUTH AND THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND SHALL RECEIVE GRANT FUNDS IN THE SAME MANNER AS SCHOOL DISTRICTS AND CHARTER SCHOOLS.

3. TEN PERCENT AS GRANTS TO SCHOOL DISTRICTS AND CHARTER SCHOOLS, IN PROPORTION TO THE WEIGHTED STUDENT COUNT PURSUANT TO SECTION 15-943, PARAGRAPH 2, FOR THE SCHOOL DISTRICT OR CHARTER SCHOOL FOR THE PRIOR FISCAL YEAR, FOR THE PURPOSE OF PROVIDING MENTORING AND RETENTION PROGRAMMING FOR NEW CLASSROOM TEACHERS TO INCREASE RETENTION. THE STATE BOARD OF EDUCATION SHALL PRESCRIBE THE FORM AND FORMAT OF MENTORING AND RETENTION PROGRAMMING SUPPORTED BY MONIES TRANSFERRED PURSUANT TO THIS PARAGRAPH, EXCEPT THAT THE EQUIVALENT OF ONE FULL-TIME MENTOR MAY BE ASSIGNED TO NOT MORE THAN FIFTEEN NEW CLASSROOM TEACHERS EMPLOYED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL. IF A SCHOOL DISTRICT OR CHARTER SCHOOL RECEIVES MONIES PURSUANT TO THIS PARAGRAPH IN EXCESS OF ITS NEEDS FOR MENTORING AND RETENTION PROGRAMMING, THOSE EXCESS MONIES MAY BE USED FOR TEACHER RETENTION. THE STATE BOARD OF EDUCATION SHALL ADOPT RULES TO IMPLEMENT THIS PARAGRAPH NOT LATER THAN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION. FOR THE PURPOSES OF THIS PARAGRAPH, THE STATE EDUCATION SYSTEM FOR COMMITTED YOUTH AND THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND SHALL RECEIVE GRANT FUNDS IN THE SAME MANNER AS SCHOOL DISTRICTS AND CHARTER SCHOOLS.

4. TWELVE PERCENT TO THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282.

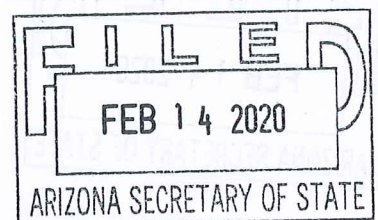
5. THREE PERCENT TO THE ARIZONA TEACHERS ACADEMY FUND ESTABLISHED BY SECTION 15-1655.

E. GRANTS MADE PURSUANT TO THIS SECTION ARE EXEMPT FROM TITLE 41, CHAPTERS 23 AND 24.

F. FOR THE PURPOSES OF THIS SECTION:

1. "CLASSROOM SUPPORT PERSONNEL" MEANS ANY NONADMINISTRATIVE SCHOOL PERSONNEL, INCLUDING CERTIFIED PERSONNEL, WHO PROVIDE CLASSROOM SUPPORT AND INSTRUCTIONAL SUPPORT SERVICES AS PRESCRIBED BY THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY, INCLUDING LIBRARIANS, NURSES, COUNSELORS, SOCIAL WORKERS, SPEECH PATHOLOGISTS, BEHAVIORAL COACHES AND PSYCHOLOGISTS.

2. "MENTORING AND RETENTION PROGRAMMING" MEANS REGULAR, JOB-EMBEDDED, IN-PERSON, ONE-ON-ONE FEEDBACK THAT IS FOCUSED ON INSTRUCTION AND ENSURING NEW CLASSROOM TEACHER QUALITY, SUCCESS AND RETENTION.



3. "NEW CLASSROOM TEACHER" MEANS A CLASSROOM TEACHER WHO IS IN THE TEACHER'S FIRST, SECOND OR THIRD YEAR OF TEACHING.

4. "STUDENT SUPPORT SERVICES PERSONNEL" MEANS ANY CLASSIFIED, NONADMINISTRATIVE SCHOOL PERSONNEL WHO PROVIDE STUDENT SUPPORT SERVICES AS DEFINED BY THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY, INCLUDING CLASSROOM AIDES, MEDIA SPECIALISTS, HEALTH ASSISTANTS, SECURITY PERSONNEL, STUDENT FOOD SERVICE PERSONNEL, CLERICAL STAFF, STUDENT TRANSPORTATION PERSONNEL AND SCHOOL SITE PLANT OPERATORS.

5. "TEACHER" MEANS ANY NONADMINISTRATIVE PERSONNEL, INCLUDING CERTIFIED TEACHERS, WHO INSTRUCT STUDENTS OR SUPPORT STUDENT ACADEMIC ACHIEVEMENT AS PRESCRIBED BY THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY, INCLUDING CLASSROOM TEACHERS, EARLY CHILDHOOD TEACHERS, MENTOR TEACHERS, INSTRUCTIONAL COACHES AND ACADEMIC INTERVENTIONISTS.

15-1282. Career training and workforce fund; exemption; distribution

A. THE CAREER TRAINING AND WORKFORCE FUND IS ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTION 15-1281, PRIVATE DONATIONS AND INTEREST EARNED ON THOSE MONIES. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED. MONIES IN THE FUND AND ITS ACCOUNTS MAY NOT BE TRANSFERRED TO ANY OTHER FUND EXCEPT AS PROVIDED IN THIS SECTION, DO NOT REVERT TO THE STATE GENERAL FUND, AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE STATE TREASURER SHALL ADMINISTER THE FUND.

B. ALL MONIES IN THE CAREER TRAINING AND WORKFORCE FUND MUST FIRST BE SPENT, AND THE STATE TREASURER SHALL TRANSFER MONIES FROM THE FUND, TO PAY:

1. THE ACTUAL REASONABLE COSTS INCURRED BY THE STATE TREASURER TO ADMINISTER THE FUND.

2. THE ACTUAL REASONABLE COSTS INCURRED BY THE DEPARTMENT OF EDUCATION TO IMPLEMENT AND ADMINISTER SECTION 15-1283.

3. ANY OTHER MANDATORY EXPENDITURE OF STATE REVENUES REQUIRED TO IMPLEMENT THIS SECTION AND SECTION 15-1283.

C. THE STATE TREASURER MAY PRESCRIBE FORMS NECESSARY TO TRANSFER MONIES FROM THE CAREER TRAINING AND WORKFORCE FUND PURSUANT TO SUBSECTION B OF THIS SECTION.

D. THE STATE TREASURER SHALL TRANSFER MONIES IN THE CAREER TRAINING AND WORKFORCE FUND IN EXCESS OF THE AMOUNTS PAID PURSUANT TO SUBSECTION B OF THIS SECTION AT THE DIRECTION OF THE DEPARTMENT OF EDUCATION IN ACCORDANCE WITH SECTION 15-1283.

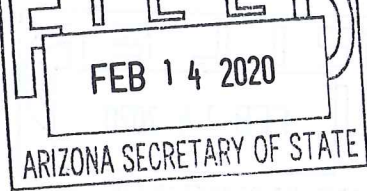
15-1283. Career training and workforce program; grants; rules

A. THE DEPARTMENT OF EDUCATION SHALL ESTABLISH A CAREER TRAINING AND WORKFORCE PROGRAM TO DO ALL OF THE FOLLOWING:

1. PROVIDE MULTI-YEAR GRANTS OF UP TO FIVE YEARS TO SCHOOL DISTRICTS, CHARTER SCHOOLS AND CAREER TECHNICAL EDUCATION DISTRICTS FROM THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282 FOR THE PURPOSE OF PROVIDING SERVICES TO STUDENTS IN GRADES NINE THROUGH TWELVE.

2. PROVIDE SUPPORT TO SCHOOL DISTRICTS, CHARTER SCHOOLS AND CAREER TECHNICAL EDUCATION DISTRICTS THAT RECEIVE GRANTS FROM THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282.

B. NOT LATER THAN NINE MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT OF EDUCATION SHALL ADOPT RULES TO IMPLEMENT THIS SECTION. THE RULES SHALL INCLUDE:



1. PROCEDURES AND REQUIREMENTS FOR SCHOOL DISTRICTS, CHARTER SCHOOLS AND CAREER TECHNICAL EDUCATION DISTRICTS TO APPLY FOR, RECEIVE AND RENEW GRANTS FROM THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282, INCLUDING:

(a) REQUIRING THAT GRANT APPLICATIONS BE APPROVED BY THE GOVERNING BOARD OR GOVERNING BODY OF THE SCHOOL DISTRICT, CHARTER SCHOOL OR CAREER TECHNICAL EDUCATION DISTRICT.

(b) PROVIDING REAL-TIME, ACCESSIBLY FORMATTED DATA REGARDING STUDENT GRADES, ATTENDANCE AND BEHAVIOR TO GRADE NINE TEACHERS AND SUPPORT STAFF.

(c) COMMITTING TO ALLOCATE TIME FOR GRADE NINE TEACHERS AND SUPPORT STAFF TO MEET DURING THE SCHOOL DAY TO REVIEW DATA AND DEVELOP STRATEGIES TO INTERVENE WITH AT-RISK STUDENTS IN GRADE NINE, KEEPING RECORDS OF SUCH MEETINGS AND PROVIDING THOSE RECORDS TO THE DEPARTMENT ON REQUEST.

(d) USING GRANT MONIES TO ESTABLISH AND EXPAND PROGRAMS, OPPORTUNITIES AND STRATEGIES ALLOWED UNDER THIS SECTION AND NOT USING GRANT MONIES TO MAINTAIN PROGRAMS, OPPORTUNITIES AND STRATEGIES ESTABLISHED BEFORE THE EFFECTIVE DATE OF THIS SECTION, EXCEPT WHEN A USE IS NECESSARY TO REPLACE THE LOSS OR EXPIRATION OF TIME-LIMITED GRANTS AND FEDERAL MONIES.

2. PROCEDURES FOR THE DEPARTMENT'S EVALUATION OF GRANT APPLICATIONS RECEIVED PURSUANT TO THIS SECTION.

3. ALLOWABLE USES OF GRANTS RECEIVED FROM THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282, INCLUDING:

(a) DEVELOPING OR EXPANDING CAREER AND TECHNICAL EDUCATION PROGRAMS THAT ARE TIED TO MEDIUM TO HIGH-WAGE, HIGH-DEMAND CAREERS THAT RESULT IN ONE OR MORE OF DIRECT WORK EXPERIENCE, INDUSTRY CERTIFICATION OR POSTSECONDARY CREDITS.

(b) DEVELOPING OR EXPANDING CAREER AND TECHNICAL EDUCATION PROGRAMS THAT INSPIRE AND PREPARE STUDENTS TO BECOME CLASSROOM TEACHERS.

(c) HIRING SCHOOL COUNSELORS.

(d) DEVELOPING AND IMPLEMENTING ACADEMIC ACCELERATION PROGRAMS UNDER WHICH OBJECTIVE MEASURES ARE USED TO ENROLL STUDENTS WHO HAVE REACHED PROFICIENCY INTO THE NEXT MORE RIGOROUS COURSE IN THAT CONTENT AREA.

(e) EXPANDING COLLEGE-LEVEL EDUCATIONAL OPPORTUNITIES, INCLUDING:

(i) ADVANCED PLACEMENT, INTERNATIONAL BACCALAUREATE OR COMPARABLE COLLEGE-LEVEL COURSES.

(ii) DUAL CREDIT, CO-ENROLLMENT PROGRAMS OR EXTENDED CO-ENROLLMENT PROGRAMS OFFERED IN CONJUNCTION WITH AN ARIZONA COMMUNITY COLLEGE, PUBLIC UNIVERSITY OR OTHER ACCREDITED INSTITUTION OF HIGHER LEARNING OR POSTSECONDARY EDUCATIONAL INSTITUTION.

(iii) RECRUITING, LICENSING, EMPLOYING AND TRAINING PERSONNEL TO PROVIDE COLLEGE-LEVEL EDUCATIONAL OPPORTUNITIES FOR HIGH SCHOOL STUDENTS.

(f) ASSISTING STUDENTS IN COMPLETING GRADE NINE WITH SUFFICIENT CREDITS TO BE ON TRACK TO ON-TIME GRADUATION, INCLUDING:

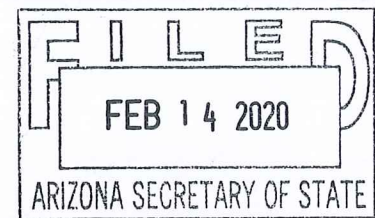
(i) EXPANDING COUNSELING SERVICES TO STUDENTS IN GRADE NINE AND PROVIDING SUMMER BRIDGE PROGRAMS FOR AT-RISK, INCOMING NINTH GRADERS.

(ii) IMPLEMENTING EVIDENCE-BASED STRATEGIES AND PROGRAMS TO COMBAT CHRONIC ABSENTEEISM.

(iii) PROVIDING TUTORING AND MENTORING SERVICES.

(iv) PROVIDING REAL-TIME, ACCESSIBLY-FORMATTED DATA REGARDING STUDENT GRADES, ATTENDANCE AND BEHAVIOR TO GRADE NINE TEACHERS AND SUPPORT STAFF.

(v) ALLOWING GRADE NINE TEACHERS AND SUPPORT STAFF TO MEET DURING THE SCHOOL DAY TO REVIEW DATA AND DEVELOP STRATEGIES TO INTERVENE WITH AT-RISK STUDENTS IN GRADE NINE, KEEPING RECORDS OF SUCH MEETINGS AND PROVIDING THOSE RECORDS TO THE DEPARTMENT UPON REQUEST.



(g) EXPANDING TUTORING, MENTORING, COUNSELING, MENTAL HEALTH AND WRAP-AROUND SERVICES THAT MEET HIGH SCHOOL STUDENTS' IMMEDIATE NEEDS.

(h) FUNDING TO OFFSET THE COSTS OF STUDENTS ENROLLED IN NINTH GRADE AND WHO PERSIST TO COMPLETE FOUR YEAR CAREER AND TECHNICAL EDUCATION PROGRAMS OFFERED PURSUANT TO SECTION 15-393.

4. PROCEDURES THAT WILL ALLOW THE DEPARTMENT TO PROVIDE ONGOING SUPPORT TO SCHOOL DISTRICTS, CHARTER SCHOOLS AND CAREER TECHNICAL EDUCATION DISTRICTS THAT RECEIVE GRANTS PURSUANT TO THIS SECTION.

C. THE DEPARTMENT OF EDUCATION SHALL:

1. BEGIN ACCEPTING APPLICATIONS FOR GRANTS PURSUANT TO THIS SECTION NOT LATER THAN ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION.

2. NOTIFY THE STATE TREASURER WHEN GRANTS ARE AWARDED UNDER THIS SECTION AND DIRECT THE STATE TREASURER TO TRANSFER MONIES FROM THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282 TO GRANTEEES.

D. GRANTS MADE PURSUANT TO THIS SECTION ARE EXEMPT FROM TITLE 41, CHAPTERS 23 AND 24.

15-1284. Separate local-level funds; annual reporting; no supplanting

A. EACH SCHOOL DISTRICT AND CHARTER SCHOOL THAT RECEIVES MONIES FROM THE STUDENT SUPPORT AND SAFETY FUND ESTABLISHED BY SECTION 15-1281 SHALL ESTABLISH A SEPARATE LOCAL LEVEL FUND TO RECEIVE MONIES FROM THAT FUND. THIS SUBSECTION APPLIES TO THE STATE EDUCATION SYSTEM FOR COMMITTED YOUTH AND THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND.

B. EACH SCHOOL DISTRICT, CHARTER SCHOOL AND CAREER TECHNICAL EDUCATION DISTRICT THAT RECEIVES MONIES FROM THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282 SHALL ESTABLISH A SEPARATE LOCAL-LEVEL FUND TO RECEIVE MONIES FROM THAT FUND.

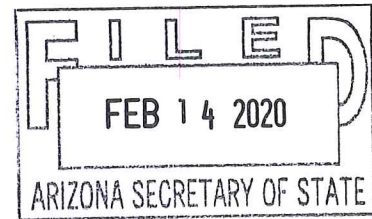
C. SCHOOL DISTRICTS, CHARTER SCHOOLS AND CAREER TECHNICAL EDUCATION DISTRICTS THAT RECEIVE MONIES FROM EITHER THE STUDENT SUPPORT AND SAFETY FUND ESTABLISHED BY SECTION 15-1281 OR THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282 SHALL PROVIDE:

1. AN ACCOUNTING OF MONIES RECEIVED FROM THOSE FUNDS EACH FISCAL YEAR THROUGH THE UNIFORM SYSTEM OF FINANCIAL RECORDS.

2. INFORMATION REGARDING CLASSROOM TEACHER SALARIES FOR EACH FISCAL YEAR THROUGH THE UNIFORM SYSTEM OF FINANCIAL RECORDS, INCLUDING THE AVERAGE CLASSROOM TEACHER SALARY, THE AVERAGE SALARY FOR A FIRST-YEAR CLASSROOM TEACHER, AND THE AVERAGE SALARIES FOR CLASSROOM TEACHERS IN THEIR FIFTH, TENTH, FIFTEENTH, AND TWENTIETH YEARS OF TEACHING IN THE SCHOOL DISTRICT, CHARTER SCHOOL OR CAREER TECHNICAL EDUCATION DISTRICT.

D. THE DEPARTMENT OF EDUCATION AND THE AUDITOR GENERAL SHALL ALLOW THE ADDITIONAL REPORTING REQUIRED BY SUBSECTION C OF THIS SECTION THROUGH THE UNIFORM SYSTEM OF FINANCIAL RECORDS AND THE ARIZONA CHART OF ACCOUNTS.

E. NOTWITHSTANDING ANY OTHER LAW, THE ADDITIONAL MONIES RECEIVED BY SCHOOL DISTRICTS, CHARTER SCHOOLS AND CAREER TECHNICAL EDUCATION DISTRICTS FROM THE STUDENT SUPPORT AND SAFETY FUND ESTABLISHED BY SECTION 15-1281 AND THE CAREER TRAINING AND WORKFORCE FUND ESTABLISHED BY SECTION 15-1282 ARE IN ADDITION TO ANY OTHER APPROPRIATION, TRANSFER OR ALLOCATION OF PUBLIC OR PRIVATE MONIES FROM ANY OTHER SOURCE AND MAY NOT SUPPLANT, REPLACE OR CAUSE A REDUCTION IN OTHER FUNDING SOURCES.



15-1285. Local revenues and revenue control limitations; exemption

NOTWITHSTANDING ANY OTHER LAW, MONIES RECEIVED BY SCHOOL DISTRICTS AND CAREER TECHNICAL EDUCATION DISTRICTS PURSUANT TO THIS CHAPTER:

1. ARE NOT CONSIDERED LOCAL REVENUES FOR THE PURPOSES OF ARTICLE IX, SECTION 21, ARIZONA CONSTITUTION.
2. ARE EXEMPT FROM ANY BUDGETARY, EXPENDITURE OR REVENUE CONTROL LIMIT THAT WOULD LIMIT THE ABILITY OF SCHOOL DISTRICTS OR CAREER TECHNICAL EDUCATION DISTRICTS TO ACCEPT OR EXPEND THOSE MONIES.

Section 4. Section 15-1655, Arizona Revised Statutes, is amended to read:

15-1655. Arizona teachers academy; tuition and fees scholarships; fund; annual report; definitions

A. Eligible postsecondary institutions shall implement an Arizona teachers academy to incentivize students to enter the teaching profession and to commit to teach in Arizona public schools. The Arizona board of regents, in consultation with eligible postsecondary institutions, shall develop and implement centralized administrative processes for the academy, including:

1. A marketing and promotion plan to recruit students for the academy.
2. Data collection and reporting.
3. Tracking postgraduation service requirements.
4. Coordinating induction services.
5. Distributing monies in the Arizona teachers academy fund between eligible postsecondary institutions.
6. Collecting reimbursement from individuals who fail to meet service obligations.

B. The Arizona teachers academy may include new or existing teacher preparation program pathways that are student-focused and that employ proven, research-based models of best practices already being implemented. Each eligible postsecondary institution may develop a portfolio of teacher preparation programs to offer as part of the academy. Programs offered as part of the academy shall include accelerated models for:

1. High-demand teacher specializations, including special education, science, technology, engineering and mathematics.
2. Critical need areas, including low-income public schools, public schools located on Indian reservations and rural public schools.
3. Individuals seeking postbaccalaureate coursework that results in professional certification.

C. Each eligible postsecondary institution shall develop formalized partnerships with public schools in this state to build commitments for teacher employment on completion of the Arizona teachers academy. The targeted deployment of teachers who have completed the academy shall be based on the needs of each school system and the community that is being served as well as the individual skills of each teacher.

D. Each eligible postsecondary institution shall provide to each full-time student who is enrolled in the Arizona teachers academy an annual scholarship of ~~\$10,000 per year~~ UP TO THE ACTUAL COST OF TUITION AND FEES for a maximum of two academic years or four semesters for graduate university students, ~~\$5,000 per year~~ UP TO THE ACTUAL COST OF TUITION AND FEES for a maximum of four academic years or eight semesters for undergraduate university students, ~~\$3,000 per year~~ UP TO THE ACTUAL COST OF TUITION AND FEES for a maximum of two academic years or four semesters for community college students for tuition and fees associated with the student's program of study, and ~~\$2,500 onetime for teachers seeking~~ UP TO THE ACTUAL COST OF OBTAINING national board certification AND RENEWAL, AND UP TO THE ACTUAL COST OF OBTAINING A TEACHING CERTIFICATE INCLUDING THE ACTUAL COST OF THE EXAM, after all other financial gifts, aid or grants received by that student or teacher. Scholarships under this subsection are subject to all of the following:

1. If the student does not successfully complete the academic year in good academic standing, the student shall reimburse the Arizona board of regents for the total amount of the scholarship for tuition and fees the student received for that year.
2. For each academic year that the student successfully completes and for which the student receives a scholarship for all tuition and fees, the student must agree to teach for one full school year in a public school in this state. For students teaching and receiving the scholarship concurrently, the commitment period begins after graduation

from the Arizona teachers academy. For teachers seeking a national board certification, the teaching commitment is one additional year after completing the requirements of the national board certification program.

3. If the scholarship does not cover remaining tuition and fee costs after other aid received, the eligible postsecondary institution may not charge students the remaining difference. If the scholarship amount exceeds tuition and fee costs at an eligible postsecondary institution, the institution may use the remaining amount to support Arizona teachers academy costs.

4. If the student does not fulfill the student's obligation to teach in a public school, the student must reimburse the Arizona board of regents for the proportional amount of the scholarship for tuition and fees that the student received that corresponds to the number of school years the student agreed to teach but did not teach in a public school in this state.

5. If the student is physically or mentally unable to fulfill the requirements of the Arizona teachers academy, the Arizona board of regents shall establish a process for assessing the student's ability to repay the financial assistance received and shall make a determination on any terms of repayment.

6. The Arizona board of regents shall establish a process for deferring service or repayment based on factors adopted by the board.

E. Students enrolled in a noneducation program in the Arizona teachers academy must complete one or more teacher preparation courses to ensure the likelihood that the student will transition into a postbaccalaureate program to receive a teaching certification following graduation.

F. The Arizona teachers academy fund is established consisting of MONIES DEPOSITED PURSUANT TO SECTION 15-1281, SUBSECTION D, PARAGRAPH 5 AND legislative appropriations made for the purpose of administering the Arizona teachers academy. Monies in the fund are continuously appropriated and are exempt from the provisions of section 35-190 relating to the lapsing of appropriations. The Arizona board of regents shall administer the fund and shall establish criteria for distributing monies in the fund to eligible postsecondary institutions each fiscal year to fund the costs of the academy. Monies in the fund may be used only for:

1. Reimbursing Arizona teachers academy scholarships that cover the balance of tuition and fees for undergraduate, graduate and postbaccalaureate students enrolled in the Arizona teachers academy after all other gifts and aid received.

2. Support for teachers who are currently employed in a public school in this state and who are seeking a national board certification.

3. Induction services for Arizona teachers academy graduates.

4. Implementing a marketing and promotion plan to recruit and retain students in the Arizona teachers academy WITH PARTICULAR EMPHASIS ON ENSURING PARTICIPANTS REFLECT THE DIVERSITY OF THE STATE'S STUDENT POPULATION and administering the Arizona teachers academy. Annual expenditures for marketing, promoting and administrating the Arizona teachers academy may not exceed three percent of the monies in the fund each fiscal year.

G. Monies remaining in the Arizona teachers academy fund at the end of each fiscal year may be used by eligible postsecondary institutions for Arizona teachers academy costs in the next fiscal year.

~~H. On or before August 1 of each fiscal year, the state general fund appropriation for the Arizona teachers academy for the current fiscal year shall be reduced by the amount of monies remaining in the Arizona teachers academy fund at the end of the prior fiscal year.~~

I. H. On or before March 1, 2020 and each year thereafter, the Arizona board of regents shall report to the joint legislative budget committee and the governor's office of strategic planning and budgeting on all of the following:

1. The total number of students enrolled in the Arizona teachers academy by eligible postsecondary institution in the current academic year.

2. The number of Arizona teachers academy graduates receiving induction services in the current academic year.

3. The estimated amount of monies committed from the Arizona teachers academy fund in the current fiscal year.

J. I. On or before September 1, 2019 and each year thereafter, the Arizona board of regents shall report to the governor, the president of the senate and the speaker of the house of representatives, and shall submit a copy to the secretary of state, on all of the following:

1. The total number of students enrolled in the Arizona teachers academy at each eligible postsecondary institution by year of college enrollment and the number of teachers receiving a scholarship through the Arizona teachers academy for national board certification.
 2. The percentage of students who completed each year of the academy and who plan to continue to the subsequent year, delineated by each teacher preparation program offered by each eligible postsecondary institution as part of the Arizona teachers academy.
 3. The number of teachers who completed a program of study through the Arizona teachers academy by each eligible postsecondary institution.
 4. The number of teachers currently teaching in a public school in this state as part of an agreement for receiving an Arizona teachers academy scholarship.
 5. The number of graduates receiving induction services.
 6. The number of students who have defaulted on their obligation and who are in repayment agreements.
 7. The number of students who have deferred repayment agreements.
 8. The number of students who have completed repayment agreements.
 9. The methodology for distributing any monies appropriated for the Arizona teachers academy to each eligible postsecondary institution and the amounts distributed to each.
 10. The amount of unused monies in the Arizona teachers academy fund from the prior fiscal year.
- K. J. For the purposes of this section:
1. "Eligible postsecondary institutions" means universities under the jurisdiction of the Arizona board of regents and community colleges in this state that offer postbaccalaureate programs that lead to teacher certification and that have entered into an agreement with the Arizona board of regents relative to these postbaccalaureate programs.
 2. "Tuition and fees" means tuition, mandatory fees and program fees that are associated with a program in the Arizona teachers academy leading to teacher certification and that are charged by an eligible postsecondary institution.

Section 5. Title 43, chapter 10, article 2, Arizona Revised Statutes, is amended by adding section 41-1013 to read:

43-1013. Income tax surcharge for public education

A. IN ADDITION TO ANY OTHER TAX IMPOSED BY THIS CHAPTER, FOR TAXABLE YEARS BEGINNING FROM AND AFTER DECEMBER 31, 2020, THERE SHALL BE LEVIED, COLLECTED AND PAID AN INCOME TAX SURCHARGE TO ADVANCE PUBLIC EDUCATION IN THIS STATE AS FOLLOWS:

1. IN THE CASE OF A SINGLE PERSON OR A MARRIED PERSON FILING SEPARATELY, A SURCHARGE AT THE RATE OF THREE AND ONE-HALF PERCENT OF TAXABLE INCOME IN EXCESS OF \$250,000.

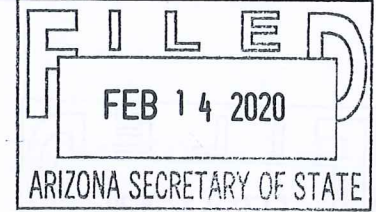
2. IN THE CASE OF A MARRIED COUPLE FILING A JOINT RETURN OR A SINGLE PERSON WHO IS A HEAD OF HOUSEHOLD, A SURCHARGE AT THE RATE OF THREE AND ONE-HALF PERCENT OF TAXABLE INCOME IN EXCESS OF \$500,000.

B. NOTWITHSTANDING SECTIONS 42-1116 AND 43-206, THE DEPARTMENT SHALL SEPARATELY ACCOUNT FOR REVENUES COLLECTED PURSUANT TO THE INCOME TAX SURCHARGE IMPOSED BY THIS SECTION, AND SHALL DEPOSIT THOSE REVENUES IN THE STUDENT SUPPORT AND SAFETY FUND ESTABLISHED BY SECTION 15-1281.

C. THE INCOME TAX SURCHARGE LEVIED BY THIS SECTION MUST BE COLLECTED REGARDLESS OF WHETHER THE INCOME TAX RATE BRACKETS IN THIS CHAPTER ARE CHANGED, REPLACED OR ELIMINATED BY AN ACT OF THE LEGISLATURE.

Section 6. Severability

If any provision of this act or its application to any person or circumstance is declared invalid by a court of competent jurisdiction, such invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provision or application. The invalidated provision or provisions shall be deemed reformed to the extent necessary to conform to applicable law and to give the maximum effect to the intent of this act and, to the



fullest extent possible, the provisions of this act, including each portion of any section of this act containing any invalidated provision that is not itself invalid, shall be construed so as to give effect to the intent thereof.

Section 7. Exemption from rulemaking

For the purposes of adopting rules to implement this act, and for twenty-four months after the effective date of this act, the department of education, the state board of education and the department of revenue are exempt from both of the following:

1. Any executive order or other directive purporting to limit or restrict the ability of the department of education, the state board of education and the department of revenue to adopt new rules.
2. The rulemaking requirements of title 41, chapters 6 and 6.1, Arizona Revised Statutes, except that each department shall provide the public with a reasonable opportunity to comment on proposed rules and shall publish otherwise-exempted rules.

Section 8. Standing and fee shifting

A. The People of the State of Arizona desire that this act, if approved by the voters and thereafter challenged in court, be defended by the State of Arizona. If the Attorney General fails to defend or enforce this act or fails to appeal an adverse judgment against its validity or application, in whole or in part, any resident of this state shall have standing to initiate or intervene in any action or proceeding to enforce or defend this act.

B. The court shall award fees and expenses to any resident who initiates or intervenes in, and prevails on the merits of, any action or proceeding to enforce or defend this act pursuant to subsection A of this section. For the purposes of this section, "fees and expenses" includes the reasonable expenses of expert witnesses, the reasonable cost of any study, analysis, report, test or project found by the court to be necessary to prepare the party's case, and reasonable attorneys' fees.